

1
2
3
4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 RICHARD BRADDOCK,

7 Plaintiff,

8 v.

9 ZAYCON FOODS, LLC, et al.,

10 Defendants.

C16-1756 TSZ

MINUTE ORDER

11 The following Minute Order is made by direction of the Court, the Honorable
12 Thomas S. Zilly, United States District Judge:

13 (1) The stipulated motion filed by plaintiff Richard Braddock and defendants
Michael and Jane Doe (aka Julie) Giunta, docket no. 168, is GRANTED as follows:

14 (a) All claims asserted by plaintiff against Michael and Julie Giunta, and
15 all counterclaims asserted by Michael and Julie Giunta against plaintiff are hereby
DISMISSED with prejudice and without costs; and

16 (b) All claims asserted by plaintiff against defendant Zaycon Foods,
LLC are DISMISSED with prejudice and without costs.

17 (2) The claims remaining for trial, which remains set for January 13, 2020, are:
18 (i) plaintiff's first (federal securities fraud), second (state securities fraud), third (common
law fraud), fourth (negligent misrepresentation), and fifth (breach of fiduciary duty¹)
19 claims against defendants Frank R. Maresca (and his spouse and marital community) and
Mike Conrad (and his spouse and marital community); and (ii) defendants Maresca's

20
21
22 ¹ See Order at 15 n.5 (docket no. 167) (requiring the parties to address in their trial briefs certain
issues relating to plaintiff's breach of fiduciary duty claim.

1 and Conrad's first (declaratory judgment), second (breach of fiduciary duty), and third
2 (tortious interference) counterclaims.

3 (3) In all future filings, the caption of this case shall be as follows:

4 RICHARD BRADDOCK,

Plaintiff,

5 v.

6 FRANK R. MARESCA, JANE DOE
7 MARESCA, and the marital community
8 composed thereof; and MIKE CONRAD,
JANE DOE CONRAD, and the marital
community composed thereof,

Defendants.

9
10 ZAYCON FOODS, LLC,

Counterclaimant,²

11 v.

12 RICHARD BRADDOCK,

Counter-Defendant.

13 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
14 record.

15 Dated this 3rd day of December, 2019.

16 William M. McCool
17 Clerk

18 s/Karen Dews
19 Deputy Clerk

20
21 ² Within fourteen (14) days of the date of this Minute Order, counsel for plaintiff and counsel for
22 Zaycon Foods, LLC ("Zaycon") shall meet and confer and file a Joint Status Report concerning
23 whether the counterclaims asserted by Zaycon against plaintiff may be dismissed and, if not, how
such counterclaims will be resolved in this matter in light of Zaycon's dissolution.